

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action by:

Chevron U.S.A. Products Company
Former Chevron Bulk Facility #20-6650
(100-1854)
1801 West 39th Street
Vancouver, WA

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AGREED ORDER
No. 02TCPSR-3975

TO: Chevron Products Co.
A ChevronTexaco Company
Attn: Jon N. Robbins, Senior Counsel
P.O. Box 6004
6001 Bollinger Canyon Rd. Room T4276
San Ramon, CA 94583-0904

**I.
JURISDICTION**

This Agreed Order ("Order") is issued pursuant to the authority of RCW 70.105D.050(1).

**II.
FINDINGS OF FACT**

Ecology makes the following Findings of Fact, without admission of such facts by the Chevron Products Company (Chevron).

1. The Former Chevron Bulk Fuel Facility #20-6650 (100-1854) is located at 1801 West 39th Street, Vancouver, WA. Chevron no longer has any leasehold or other real or personal property interest in the Site. This location is in a mixed industrial, commercial, residential, and agricultural area of Vancouver, Washington. The approximate one acre Site is bounded to the north by West 39th Street and to the south by a vacant lot. Burlington Northern and Union Pacific Railroad tracks border the Site to the east and private residences are located to the west. The Site is west of downtown Vancouver and on the Columbia River floodplain. Vancouver Lake is located approximately 1-1/2 miles northwest of the Site; the Columbia River is about one mile to the southwest.
2. During operation as a bulk fuel terminal, ten above ground fuel storage tanks were located near the center of the Site. A storage warehouse building occupied the Site's northeast side and a garage, most recently used as a shop/warehouse, occupied the Site's northwest side. The shop/warehouse was removed by the current property owner in October 1994. A former rail spur extended along the eastern property border adjacent to the former warehouse building. Piping from the above ground fuel storage tanks extended to the tank truck loading rack (TTLR), tank truck unloading headers, and former rail spur.
3. An oil/water separator located near the center of the former TTLR concrete pad was removed by A.L. Sliester & Sons Construction, Inc (A.L. Sliester) of Mukilteo, Washington on October 26, 1994. The TTLR concrete pad was also removed. The contents of the oil/water separator were removed and placed in 55-gallon drums on Site pending disposal. The oil/water separator and TTLR concrete were disposed off Site by A.L. Sliester.
4. A 550-gallon heating oil underground storage tank (UST) was removed and disposed of off Site by A.L. Sliester on October 26, 1994. The contents of the tank were removed and the tank was inerted with dry ice prior to removal. The tank contents were placed in 55-gallon drums on Site pending disposal.
5. Based on visual and OVM-PID evidence, 6,373 tons (approximately 4,500 cubic yards) of soil with petroleum hydrocarbon-like staining or soil with elevated headspace readings was removed and stockpiled

on Site for treatment. Approximately 1,400 tons (1,000 cubic yards) of soil which appeared to contain no hydrocarbon compounds exceeding Method A cleanup levels was stockpiled on Site separately from the contaminated soil. Ten composite soil samples (PS1-10/94 through PS10-10/94) were collected from the "clean" soil stockpile and analyzed for benzene, ethylbenzene, toluene, and total xylenes (BETX) by EPA Method 8020 and total petroleum hydrocarbons (TPH) by Washington State Department of Ecology (Ecology) Method 7420. TPH exceeding Method A cleanup levels was present in all ten samples. The 1,400 tons of soil was added to the contaminated soil excavated from the Site and underwent treatment. All 7,773 tons of excavated soil was treated on Site by Southwest Soil Remediation, Inc. (Southwest) of Tucson, Arizona using low temperature thermal desorption. Soil treatment occurred from December 5, 1994 to March 6, 1995.

6. Ecology and Chevron mutually recognize that addressing the Non-Aqueous Phase Liquid (NAPL) present in the east portion of the Site is the immediate priority for Site characterization, remediation, and funding efforts.
7. Cleanup of the Site is being conducted under the Model Toxics Cleanup Act (MTCA) with formal Ecology oversight. Interim action remediation is needed because free-product has been measured on top of the shallow water table in the monitoring well (MW)-10. The purpose of this Order is to 1) conduct of an interim action to remove mobile free product (NAPL) from the axis of the Light Non-Aqueous Phase Liquid (LNAPL) plume and reduce the risk of further contaminant migration to the groundwater beneath the Site; 2) demolish and/or negotiate structures/buildings as needed to make the Site more accessible for characterization and remediation work and 3) conduct and prepare a Remedial Investigation/Risk Assessment/Feasibility Study (RI/RA/FS) of the Site.

III. ECOLOGY DETERMINATIONS

1. Chevron was an "owner or operator" as defined at RCW 70.105D.020(11) of a "facility" as defined in RCW 70.105D.020(4).
2. The facility, which consists of approximately one acre of property known as the former Chevron Site (Site), and is located at 1801 West 39th Street, Vancouver, Washington.
3. The substances found at the Site as described above are "hazardous substances" as defined at RCW 70.105D.020(7).
4. Based on the presence of these hazardous substances at the Site and all factors known to Ecology, there is a release or threatened release of hazardous substances from the Site, as defined at RCW 70.105D.020(19).
5. By a letter dated April 15, 2002, Ecology notified Chevron of its status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment. By a letter of May 15, 2002 Chevron accepted Ecology's determination that Chevron is a "potentially liable person" under RCW 70.105D.040.
6. Pursuant to RCW 70.105D.030(1) and 70.105D.050, Ecology may require potentially liable persons to investigate or conduct other remedial actions with respect to the release or threatened release of hazardous substances, whenever it believes such action to be in the public interest.
7. The threat of the LNAPL plume migrating into the ground water warrants an interim action consistent with WAC 173-340-430(1)(b), and an essential component of the interim action is to address NAPL in the source area.

Based on the foregoing facts, Ecology believes the remedial actions required by this Order are in the public interest.

IV. WORK TO BE PERFORMED

Based on the foregoing Facts and Determinations, it is hereby ordered that Chevron perform the following activities and that these activities be conducted in accordance with Chapter 173-340 WAC unless otherwise specifically provided for herein.

The activities in this Order are designed to remediate the potential risks posed to human health and the environment from the Site. Specifically, work to be performed includes, but is not limited to: 1) conducting an interim action to remove mobile free product (NAPL) from the vicinity of well MW-10 of the LNAPL plume and reduce the risk of further contaminant migration to the groundwater beneath the Site; 2) conducting and preparing a RI/RA/FS of the Site; 3) implementing the recommendations of the RI/RA/FS.

Based on the foregoing Facts and Determinations, it is hereby ordered that Chevron conduct remedial activities at the Site according to the requirements of this Order. In order to carry out the remedial actions required under this Order, Chevron shall produce the reports and carry out the activities specified in this section. All activities shall be conducted in accordance with Chapter 173-340 WAC unless otherwise specifically provided for herein.

1. INTERIM ACTION REPORT

Within 90 days of the effective date of this Order, Chevron shall prepare an interim action report for the implementation of the free product removal/ remediation system (Interim Action Report). This Interim Action Report shall be prepared by or under the direct supervision of a registered professional engineer. The draft Interim Action Report shall include, but is not limited to, the following items:

- a) An introduction including a statement of the goals of the interim cleanup action with specific cleanup or performance requirements. A summary of general information and information from the previous Site characterizations updated as needed to reflect current Site conditions. Identification of who will own, operate, and maintain the Site and the interim action during and following construction; Site maps showing existing conditions and proposed location of the interim action; and a discussion of the characteristics, quantity and location of the materials to be remediated.
- b) Schedule for construction of the interim action. The interim action shall begin in accordance with the Ecology approved schedule within the final Interim Action Report.
- c) Procedures for minimizing the potential for hazardous materials spills and accidental discharge during any excavation, construction, and operation. This shall also include a description of measures taken to prevent spills or spreading of contaminated materials on the Site, including provisions for decontaminating equipment, preventing erosion from any stockpiled soils, and spill prevention during loading/unloading of vehicles.
- d) A discussion of Site-specific characteristics that may affect design, construction, or operation of the interim action, including: relationship of the proposed interim action to existing or potential future Site operations, probability of flooding or erosion, settling/subsidence, and soil and groundwater characteristics.
- e) A discussion of methods for management or disposal of any treatment residual and other waste materials containing hazardous substances generated as a result of the interim action.
- f) A worker safety and health plan per requirements of WAC 173-340-810.
- g) Copies of all permits obtained regarding performance of the interim action.
- h) Any information not provided in the previous characterization studies needed to fulfill all applicable requirements of the State Environmental Policy Act (Chapter 43.21C RCW), and any additional information needed to address the applicable state, federal, and local requirements.
- i) Additional information as needed to fulfill the substantive permit requirements of local, state, and/or federal agencies including the substantive requirements of exempted permits consistent with WAC 173-340-400 (4)(b)(vii).
- j) Detailed final construction plans and procedural material specifications necessary for construction of the free product treatment system prepared in conformance with currently accepted engineering practices and techniques.
- k) Compliance monitoring plan per WAC 173-340-410. This shall include a description of performance monitoring to confirm that the interim action is reducing free product, is meeting the performance goals, and monitoring. All sampling and analysis shall be conducted under a sampling and analysis plan meeting the requirements of WAC 173-340-820. The compliance monitoring plan and sampling and analysis plan may be combined in one section and submitted with the interim action report or submitted as a separate document. The compliance monitoring plan shall include:
 - k-1. Performance monitoring for groundwater. Sampling shall be conducted in the aquifer. Enough samples shall be obtained to compare to baseline levels established during characterization/monitoring work prior to the interim action, and to show that contaminant mass in groundwater is decreasing. Groundwater samples shall be analyzed for contaminants of concern utilizing EPA SW-846 methods and Ecology specified methods for petroleum hydrocarbons.
 - k-2. Monitoring for Site groundwater per WAC 173-340-410 (1)(c), including a description of the frequency and duration of monitoring, and monitoring parameters.

- k-3. A methodology for evaluating sample results. Statistical analysis of samples shall be in accordance with Ecology *Publication No. 94-49, Guidance on Sampling and Data Analysis Methods*.
- k-4. Provisions for reporting results of performance sampling to Ecology. Results of performance monitoring shall be provided to Ecology following each sampling event under the schedule developed in k-2.

2. FINAL INTERIM ACTION REPORT

The final Interim Action Report shall incorporate Ecology's comments on the draft report. The final report shall be submitted to Ecology within 30 days of receiving Ecology's comments on the draft.

3. IMPLEMENT INTERIM ACTIONS

Implement interim actions as outlined in the Ecology-approved Final Interim Action Report. The requirements described in the Order are applicable to the interim action(s). The stated performance goal of the interim action is removal of NAPL from the MW-10 area. During construction, detailed records including photographic documentation shall be kept of substantive aspects of the work performed, including construction techniques and materials used, items installed, and tests and measurements performed. The substantive requirements of WAC 173-340-400(7)(8) shall be met. During the construction of the interim action system, Chevron's project coordinator or his/her designee will make oral reports at least every week to the Ecology project manager or his/her designee regarding progress. Any significant problems, deviation from plans, or interim conditions will be reported to Ecology immediately.

4. SAP/HASP

A work plan which includes a sampling and analysis plan (SAP) and a Site health and safety plan (HASP) will be prepared to comply with WAC 173-340-810 and 820. A single work plan will be prepared for the entire Site. The SAP will propose a scope of work to evaluate known environmental concerns at the Site.

- a) Chevron shall submit a draft work plan to Ecology for characterization of the extent of soil and groundwater contamination at the Site. The work plan shall contain a SAP which will identify but not be limited to the proposed number of soil test locations and groundwater monitoring locations; approximate depths of samples and borings (as appropriate); sampling and analysis scheme including a quality assurance/quality control (QA/QC) plan; and a HASP for field work. The draft work plan shall include a schedule for implementation. The draft work plan shall be submitted within ninety (90) calendar days of the effective date of this Order. Ecology shall review and provide written comments within thirty (30) calendar days of receipt of the draft work plan. Chevron shall submit a final work plan within thirty (30) calendar days of receipt of Ecology's comments.

5. REMEDIAL INVESTIGATION/RISK ASSESSMENT/FEASIBILITY STUDY (RI/RA/FS)

Chevron shall conduct a remedial investigation (RI), risk assessment (RA) and a feasibility study (FS) at the Site to address the substantive requirements of WAC 173-340-350 and 360. The RI will evaluate the distribution of contaminants in soil and groundwater at the Site. Based on these data, RA and FS will be performed to evaluate a range of remedial technologies to mitigate Site conditions that pose an unacceptable risk to human health and/or the environment.

- a) The approved work plan outlined in Subsection 4a of this Order will be implemented. The RI work plan will include a scope of work to characterize the nature and extent of soil and groundwater impacts at the Site. Should additional RI work be needed to characterize the distribution of contaminants in soil and groundwater, a supplemental RI work plan will be submitted for review by Ecology.
- b) Once all RI work is complete, Chevron shall perform a RA and focused FS (in the event that Site media exceed cleanup standards that are appropriate for the use of the property). Chevron shall then submit to Ecology a report of the results of the RI/RA/FS. The report shall include, as appropriate, Site location maps and physical setting description; soil characterization; surface and subsurface soil sampling results (analytical data as well as field logs); soil, groundwater, and sediment characterization; description of monitoring well installation; well logs; drilling logs; results of soil,

groundwater, and sediment sampling; hydraulic characterization; recommendations including estimates of volumes and areas of media requiring remediation; evaluation of realistic exposure pathways and exposed populations; evaluation of a range of proven and reliable remedial alternatives that mitigate risks; summary; and conclusions.

- c) The draft RI/RA/FS report shall be submitted to Ecology for review and comment within ninety (90) calendar days of completion of field work and receipt of analytical results. Ecology shall provide written comments within forty-five (45) calendar days of receipt of the draft report. Chevron shall complete a final report within thirty (30) calendar days of receipt of Ecology's comments.

6. OTHER SITE WORK NOT INCLUDED IN WORK ITEMS 1 THROUGH 5

No investigative or remedial work shall be done at the Site unless the work is done under the MTCA process in conjunction with this Order. Ecology may amend the Order if the proposed additional work is considered significant.

7. SCHEDULE

1. Draft Interim Action report	Within 90 days of the effective date of this Order.
2. Final Interim Action report	Within 30 days of receiving Ecology's comments on the draft report.
3. Implement Interim Actions	According to the schedule in the approved Final Interim action report.
4. Draft Work Plan	Within 90 days of the effective date of this Order.
5. Ecology's comments on Draft Work Plan	Within 30 days of the receipt of the Draft Work Plan.
6. Final Work Plan	Within 30 days of the receipt of Ecology's comments
7. RI/RA/FS Draft Report	Within 90 days of completion of field work and receipt of analytical results, but not later than 180 days of the effective date of this Order.
8. Ecology's comments on Draft RI/RA/FS Report	Within 45 days of the receipt of the RI/RA/FS Draft report.
9. RI/RA/FS Final Report	Within 30 days of the receipt of the Ecology's comments.

V.

TERMS AND CONDITIONS OF ORDER

1. Definitions.

Unless otherwise specified, the definitions set forth in ch. 70.105D RCW and ch. 173-340 WAC shall control the meanings of the terms used in this Order.

2. Public Notices.

RCW 70.105.D,030(2)(a) requires that, at a minimum, this Order be subject to concurrent public notice. Ecology shall be responsible for providing such public notice and reserves the right to modify or withdraw any provisions of this Order should public comment disclose facts or considerations which indicate to Ecology that the Order is inadequate or improper in any respect.

3. Remedial Action Costs.

Chevron U.S.A. Products Company (Chevron) shall pay to Ecology costs incurred by Ecology as defined in WAC 173-340-550(2). Chevron shall pay the required amount within 90 days of receiving from Ecology an itemized statement of costs that includes a summary of costs incurred, an identification of involved staff, the amount of time spent by involved staff members on the project and a general description of work performed if requested by Chevron. Itemized statements shall be prepared quarterly. Failure to pay Ecology's costs within 90 days of receipt of the general description will result in interest charges.

4. **Designated Project Coordinators.**

The project coordinator for Ecology is:

Name: Marcel Szyszkowski, P.E.
Address: Southwest Regional Office
PO Box 47775, Olympia, WA 98504-7775
Telephone: (360) 407-6363
E-mail: mszy461@ecy.wa.gov

The project coordinator for Chevron is:

Name: Brett Hunter
Address: P.O. Box 6004
6001 Bollinger Canyon Rd. Rm. L4064
San Ramon, CA 94583-0904

The project coordinator(s) shall be responsible for overseeing the implementation of this Order. To the maximum extent possible, communications between Ecology and Chevron, and all documents, including reports, approvals, and other correspondence concerning the activities performed pursuant to the terms and conditions of this Order, shall be directed through the project coordinator(s). Should Ecology or Chevron change project coordinator(s), written notification shall be provided to Ecology or Chevron at least ten (10) calendar days prior to the change.

5. **Performance.**

All work performed pursuant to this Order shall be under the direction and supervision, as necessary, of a professional engineer or professional hydrogeologist, or similar expert, with appropriate training, experience and expertise in hazardous waste Site investigation and cleanup. Chevron shall notify Ecology as to the identity of such engineer(s) or hydrogeologist(s), and of any contractors and subcontractors to be used in carrying out the terms of this Order in advance of their involvement at the Site. Chevron shall provide a copy of this Order to all agents, contractors, and subcontractors retained to perform work required by this Order and shall ensure that all work undertaken by such agents, contractors and subcontractors will be in compliance with this Order.

Except where necessary to abate an emergency situation, Chevron shall not perform any remedial actions at the former Chevron Site outside that required by this Order unless Ecology concurs, in writing, with such additional remedial actions.

WAC 173-340-400(7)(b)(i) requires that "construction" performed on the Site must be under the supervision of a professional engineer registered in Washington.

6. **Access.**

Upon providing at least twenty four (24) hours notice to Chevron, Ecology or any Ecology authorized representative shall have the authority to enter and freely move about the Site at all reasonable times for the purposes of, inter alia: inspecting records, operation logs, and contracts related to the work being performed pursuant to this Order; reviewing the progress in carrying out the terms of this Order; conducting such tests or collecting samples as Ecology or the project coordinator may deem necessary; using a camera, sound recording, or other documentary type equipment to record work done pursuant to this Order; and verifying the data submitted to Ecology by Chevron. By signing this Order, Chevron agrees, that this Order constitutes reasonable notice of access, and agrees to allow access to the Site at all reasonable times for purposes of overseeing work performed under this Order. Ecology shall allow split or replicate samples to be taken by Chevron during an inspection unless doing so interferes with Ecology's sampling. Ecology shall provide Chevron reasonable notice before any sampling event. Chevron shall allow split or replicate samples to be taken by Ecology and shall provide seven (7) days notice before any sampling activity.

7. **Public Participation.**

Chevron shall prepare and/or update a public participation plan for the Site. Ecology shall maintain the responsibility for public participation at the Site.

8. **Retention of Records.**

Chevron shall preserve in a readily retrievable fashion, during the pendency of this Order and for ten (10) years from the date of completion of the work performed pursuant to this Order, all records, reports, documents, and underlying data in its possession relevant to this Order. Should any portion of the work performed hereunder be undertaken through contractors or agents of Chevron, Chevron agrees to include in their contract with such contractors or agents a record retention requirement meeting the terms of this paragraph.

9. **Dispute Resolution.**

Chevron may request Ecology to resolve disputes which may arise during the implementation of this Order. Such request shall be in writing and directed to the signatory, or his/her successor(s), to this Order. Ecology resolution of the dispute shall be binding and final. Chevron is not relieved of any requirement of this Order during the pendency of the dispute and remains responsible for timely compliance with the terms of the Order unless otherwise provided by Ecology in writing.

10. **Reservation of Rights/No Settlement.**

This Order is not a settlement under ch. 70.105D RCW. Ecology's signature on this Order in no way constitutes a covenant not to sue or a compromise of any Ecology rights or authority. Ecology will not, however, bring an action against Chevron to recover remedial action costs paid to and received by Ecology under this Order. In addition, Ecology will not take additional enforcement actions against Chevron to require those remedial actions required by this Order, provided Chevron complies with this Order.

Ecology reserves the right, however, to require additional remedial actions at the Site should it deem such actions necessary.

Ecology also reserves all rights regarding the injury to, destruction of, or loss of natural resources resulting from the releases or threatened releases of hazardous substances from the former Chevron facility.

In the event Ecology determines that conditions at the Site are creating or have the potential to create a danger to the health or welfare of the people on the Site, or in the surrounding area, or to the environment, Ecology may order Chevron to stop further implementation of this Order for such period of time as needed to abate the danger.

11. **Transference of Property.**

No voluntary or involuntary conveyance or relinquishment or title, easement, leasehold, or other interest in any portion of the Site shall be consummated by Chevron without provision for continued implementation of all requirements of this Order and implementation of any remedial actions found to be necessary as a result of this Order.

Prior to transfer of any legal or equitable interest Chevron may have in the Site or any portions thereof, Chevron shall serve a copy of this Order upon any prospective purchaser, lessee, transferee, assignee, or other successor in such interest. At least thirty (30) days prior to finalization of any transfer, Chevron shall notify Ecology of the contemplated transfer.

12. **Compliance with Applicable Laws.**

- A. All actions carried out by Chevron pursuant to this Order shall be done in accordance with all applicable federal, state, and local requirements, including requirements to obtain necessary permits, except as provided in paragraph B of this section.
- B. Pursuant to RCW 70.105D.090(1), the substantive requirements of chapters 70.94, 70.95, 70.105, 75.20, 90.48, and 90.58 RCW and of any laws requiring or authorizing local government permits or approvals for the remedial action under this Order that are known to be applicable at the time of issuance of the Order have been included in Attachment A and are binding and enforceable requirements of the Order.

Chevron has a continuing obligation to determine whether additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Order. In the event Chevron determines that additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Order, it shall promptly notify Ecology of this determination. Ecology shall determine whether Ecology or Chevron shall be responsible to contact the appropriate state and/or local agencies. If Ecology so requires, Chevron shall promptly consult with the appropriate state and/or local agencies and provide

Ecology with written documentation from those agencies of the substantive requirements those agencies believe are applicable to the remedial action. Ecology shall make the final determination on the additional substantive requirements that must be met by Chevron and how Chevron must meet those requirements. Ecology shall inform Chevron in writing of these requirements. Once established by Ecology, the additional requirements shall be enforceable requirements of this Order. Chevron shall not begin or continue the remedial action potentially subject to the additional requirements until Ecology makes its final determination.

Ecology shall ensure that notice and opportunity for comment is provided to the public and appropriate agencies prior to establishing the substantive requirements under this section.

- C. Pursuant to RCW 70.105D.090(2), in the event Ecology determines that the exemption from complying with the procedural requirements of the laws referenced in RCW 70.105D.090(1) would result in the loss of approval from a federal agency which is necessary for the state to administer any federal law, the exemption shall not apply and Chevron shall comply with both the procedural and substantive requirements of the laws referenced in RCW 70.105D.090(1), including any requirements to obtain permits.

VI.
SATISFACTION OF THIS ORDER

The provisions of this Order shall be deemed satisfied upon Chevron's receipt of written notification from Ecology that Chevron has completed the remedial activity required by this Order, as amended by any modifications, and that all other provisions of this Order have been complied with.

VII.
ENFORCEMENT

1. Pursuant to RCW 70.105D.050, this Order may be enforced as follows:
- A. The Attorney General may bring an action to enforce this Order in a state or federal court.
 - B. The Attorney General may seek, by filing an action, if necessary, to recover amounts spent by Ecology for investigative and remedial actions and orders related to the Site.
 - C. In the event Chevron refuses, without sufficient cause, to comply with any term of this Order, Chevron will be liable for:
 - (1) up to three times the amount of any costs incurred by the state of Washington as a result of its refusal to comply; and
 - (2) Civil penalties of up to \$25,000 per day for each day it refuses to comply.
 - D. This Order is not appealable to the Washington Pollution Control Hearings Board. This Order may be reviewed only as provided under Section 6 of ch. 70.105D RCW.

Effective date of this Order: 8.22.03

CHEVRON

By David Wickland
David Wickland
Office Manager
Chevron Environmental Management Company
San Ramon, CA

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

By Rebecca S. Lawson
Rebecca S. Lawson, P.E.
Regional Section Manager
Southwest Regional Office
Toxics Cleanup Program

ATTACHMENT A

The known permits and rules that are pertinent to this Order and their respective substantive requirements are listed below. A contact and phone number are provided for the state agency or local government that would typically administer each permit or applicable regulations. Ecology will make a final determination regarding which substantive requirements will apply in situations where requirements conflict.

Regulations pertinent to this action:

1. State of Washington, Hazardous Waste Management, Ecology (Contact: Dee Williams, 360-690-7120)
- The remedial action shall provide for management or disposal of dangerous wastes or hazardous wastes in a manner in compliance with regulations under Chapter 173-303-WAC. Wastes shall be designated and managed in compliance with the Site Work Plans. Hazardous waste manifests shall be used to track the transfer and disposal of hazardous wastes.
2. Local Health Department - Solid Waste Regulations (Contact: Gary Bickett, 360-397-8061)
- This project shall comply with Southwest Washington Health District provisions for acceptance of any soils to be disposed of at a landfill in the State of Washington, according to criteria developed for the specific Site.